

01-12-06

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 754 867 994 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 10, 2006

Signature: 

(Sharon Bizakas)

Docket No.: 47728(71699)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Eduardo Marban

Application No.: 09/187,669

Confirmation Number: 3339

Filed: November 5, 1998

Art Unit: 1636

For: SOMATIC TRANSFER OF MODIFIED  
GENES TO PREDICT DRUG EFFECTS

Examiner: K. T. Katcheves

**TRANSMITTAL OF DRAWING CORRECTION**

MS Issue Fees  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is one set (twenty-seven sheets, fifteen figures) of corrected drawings for filing in the above-identified patent application.

The Examiner objected to the drawings for reasons stated in the Office Action dated December 20, 2005. The enclosed new drawings correct these informalities.

Favorable consideration of the enclosed drawings is respectfully requested.

Dated: January 10, 2006

Respectfully submitted,

By 

Jonathan M. Sparks, Ph.D.

Registration No.: 53,624

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PPC/SEP/JMS  
7728 (71699)

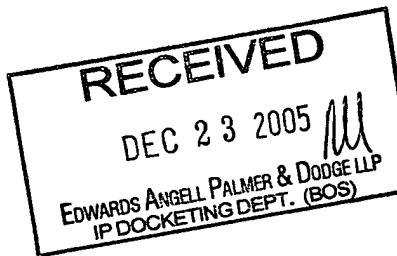


UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER <b>09/187669</b>	FILING/RECEIPT DATE <b>11/05/1998</b>	FIRST NAMES APPLICANT <b>MARBAN, EDUARDO</b>	ATTORNEY DOCKET NUMBER <b>47728</b>
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EDWARDS & ANGELL, LLP  
P.O. BOX 55874  
BOSTON MA 02205



Examiner  
**KATCHEVES, TINA**  
Art Unit  
**1636**  
Paper Number

**COPY**

Date Mailed: 12/20/2005

**Notice Regarding Drawings**

Corrected drawings for the above-identified application, received in the USPTO on 11/05/1998 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b). Failure to take corrective action within the set period will result in abandonment of the application.**

SON LAM

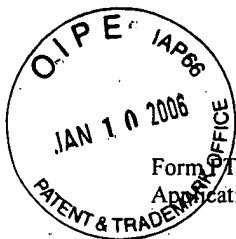
ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

**RETURN CORRECTED DRAWINGS TO:**

Commissioner for Patents  
Mail Stop: Issue Fees  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*drawings due*  
EDWARDS ANGELL PALMER & DODGE LLP  
101 Federal St. Boston, MA 02110

Docketed For 1/20/06 - 2/20/06  
By ML  
Approved \_\_\_\_\_



Form PTO-948 (Rev. 06/03)

Application No. 09/187,662

COPY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

## NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 11/05/98 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. **DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_  
☐ Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

2. **PHOTOGRAPHS.** 37 CFR 1.84(b)  
☐ One (1) full-tone set is required. Fig(s) \_\_\_\_\_  
☐ Photographs may not be mounted. 37 CFR 1.84(e)  
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_  
☐ Poor quality (half-tone). Fig(s) \_\_\_\_\_

3. **TYPE OF PAPER.** 37 CFR 1.84(c)  
☐ Paper not flexible, strong, white, and durable. Fig(s) \_\_\_\_\_  
☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) 1-15

4. **SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:  
21.0 cm by 29.7 cm (DIN size A4) or  
21.6 cm by 27.9 cm (8 1/2x 11 inches)  
☐ All drawing sheets not the same size. Sheet(s) \_\_\_\_\_  
☐ Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

5. **MARGINS.** 37 CFR 1.84(g): Acceptable margins:  
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
☐ Margins not acceptable. Fig(s) \_\_\_\_\_  
☐ Top (T) \_\_\_\_\_ Left (L) \_\_\_\_\_  
☐ Right (R) \_\_\_\_\_ Bottom (B) \_\_\_\_\_

6. **VIEWS.** 37 CFR 1.84(h)  
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) \_\_\_\_\_

7. **SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)  
☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

8. **ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)  
☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

9. **SCALE.** 37 CFR 1.84(k)  
☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) \_\_\_\_\_

10. **CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)  
☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 2-15

11. **SHADING.** 37 CFR 1.84(m)  
☐ Solid black areas pale. Fig(s) \_\_\_\_\_  
☐ Solid black shading not permitted. Fig(s) \_\_\_\_\_

12. **NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)  
☐ Numbers and reference characters not plain and legible. Fig(s) \_\_\_\_\_

☐ Figure legends are poor. Fig(s) \_\_\_\_\_  
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_

☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-15

13. **LEAD LINES.** 37 CFR 1.84(q)  
☐ Lead lines missing. Fig(s) \_\_\_\_\_

14. **NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_

15. **NUMBERING OF VIEWS.** 37 CFR 1.84(u)  
☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

16. **DESIGN DRAWINGS.** 37 CFR 1.152  
☐ Surface shading shown not appropriate. Fig(s) \_\_\_\_\_  
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

COMMENTS:

Reviewer SON LAMDate 12/20/05

If you have questions, call (703) 305-8404.

Attachment to Paper No. \_\_\_\_\_

305-0333 (EXT. 133)